

Remarks

The Office action mailed May 22, 2003, has been carefully reviewed and considered. Applicant respectfully requests reconsideration of the pending rejections. A Notice of Appeal is filed concurrently with this response. The examiner's attention is also drawn to the fact that the parent application (Serial No. 09/468,292) of the present divisional application has also been appealed. An Amended Appeal Brief was filed on November 15, 2002.

Claims 31, 32, 45, 46, 51 and 52 stand rejected under 35 U.S.C. §103 over the admitted prior art combined with Freemantle. In response to applicant's arguments mailed March 17, 2003 (the "March 17th Reply") the examiner states on page 6 of the Office action that "the motivation to combine the references comes from teachings in Freemantle relating to the advantages of using ionic liquids in a variety of applications." The examiner refers to Freemantle as disclosing a "variety of applications." However, the only use disclosed in Freemantle is as a medium for performing catalyzed organic reactions. Of course, such reactions would not be performed in apparatus even remotely similar to that presently claimed or disclosed in the admitted prior art. Such a distinct difference in apparatus certainly would not have suggested modifying the apparatus disclosed in the admitted prior art.

As explained in the March 17th reply, applicant has recognized that certain properties of ionic liquids make them especially suitable for use in vapor deposition processes. These properties include low melting points, wide temperature ranges, and substantially no measurable vapor pressure (see page 4, lines 23-27). Nothing in the prior art cited by the examiner suggests the connection between these properties and how they would result in modification of the apparatus disclosed in the admitted prior art.

The examiner also states on page 6 of the Office action that "the fact that applicant has recognized another advantage which would flow naturally from following the suggestion of the prior art cannot be the basis for patentability when the differences would otherwise be obvious." In the present application, applicant is not claiming the advantages described on page 4, lines 23-27, of the specification. Applicant only points to those advantages to show that there would have been no motivation to make the modifications to the prior art suggested by the examiner. The basis for patentability is that the cited prior art does not suggest any reason for making the purported combination, even taking into account the advantages described in Freemantle.

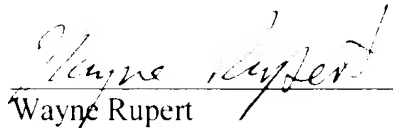
Claims 47 and 53 remain rejected under 35 U.S.C. §103 over the admitted prior art combined with Freemantle and Blomgren et al. Claims 48 and 54 remain rejected under 35 U.S.C. §103 over the admitted prior art combined with Freemantle and Jones et al. Claims 50 and 56 remain rejected under 35 U.S.C. §103 over the admitted prior art combined with Freemantle and Abdul-Sada et al. On page 6 of the Office action, the examiner states that Blomgren et al., Jones et al. and Abdul-Sada et al. are "used to show typical ionic liquid sources and are not relied upon to show the use of ionic liquid sources in any particular application." However, in the context of the present apparatus claims, the use of ionic liquid is very relevant. The present apparatus claims are directed to vapor deposition apparatus. Since none of these secondary references relate to vapor deposition apparatus, they cannot contain any suggestion whatsoever that would have prompted a person of ordinary skill to modify a vapor deposition apparatus.

Claim 57 is rejected under 35 U.S.C. §103 over the admitted prior art combined with Freemantle and Ballingall III. Ballingall III is relied upon simply to show a system that includes two different precursor sources. Ballingall III does not cure the previously-explained deficiencies in the admitted prior art and Freemantle. Accordingly, the 35 U.S.C. §103 rejection of claim 57 should be reconsidered and withdrawn.

It is respectfully submitted that the present claims are in condition for allowance. Should there be any questions regarding this application, Examiner Alejandro is invited to contact the undersigned attorney at the telephone number shown below.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By 
Wayne Rupert
Registration No. 34,420

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 226-7391
Facsimile: (503) 228-9446